

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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IN RE: : 13-MDL-2458
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EFFEXOR (VENLAFAXINE :
HYDROCHLORIDE) : Philadelphia, Pennsylvania
PRODUCTS LIABILITY : October 25, 2013
LITIGATION : 10:32 a.m.

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TRANSCRIPT OF STATUS CONFERENCE
BEFORE THE HONORABLE CYNTHIA M. RUFÉ
UNITED STATES DISTRICT JUDGE

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1 (The following was heard in open court at
2 10:32 a.m.)

3 THE COURT: Good morning, everyone.

4 ALL: Good afternoon, Your Honor.

5 THE COURT: Please be seated. Welcome to the
6 first status conference for MDL-2458, Effexor Products
7 Liability Litigation. I am happy to see very familiar
8 faces, too familiar, but, anyway, welcome.

9 I was given a joint proposed agenda for this
10 status conference today, and that was submitted by
11 Stephen Corr in conjunction with Mark Cheffo, each have
12 been named already as the liaison counsel, and I
13 believe are unopposed for permanent positions in that
14 regard.

15 So, knowing each and the quality of their
16 work and dedication and commitment to their MDLs in the
17 past, I hereby approve you permanently. We have some
18 other work to address.

19 So, I will turn to counsel. Follow your
20 agenda and would you like to address the Court first,
21 Mr. Corr?

22 MR. CORR: Absolutely, thank you, Your Honor.
23 Good morning. As always, it is a pleasure to be here
24 before you and glad to be here on the first status
25 conference.

1 I have spoken since our appointment with Mr.
2 Cheffo on a couple of occasions trying to get some
3 organization started between the two parties. One
4 thing we did do, which was pretty simple, we submitted
5 a proposed order on service just to identify the
6 defendants and how they are to be served, and that will
7 be helpful to the plaintiffs as they file their cases.

8 THE COURT: Is that the waiver of service PTO
9 that I signed yesterday?

10 MR. CORR: Yes, I didn't see that then.
11 Okay.

12 THE COURT: All right. It just got filed
13 yesterday.

14 MR. CORR: That is. So, the first item on
15 the agenda, we are just talking about an overview of
16 the cases. The number of cases currently pending we
17 did attach to the joint position statement and the case
18 status report a listing, and I apologize, Your Honor,
19 it was e-mailed to Nicole late. So, but the listing of
20 those cases -- I did go down and talk to Tom Dempsey
21 before we started today to get an updated list from
22 him.

23 I am going to have to go back and talk with
24 him again because he had on his list nine cases that
25 were directly filed in the MDL and 36 cases that had

1 been transferred in to the MDL.

2 The list that we had provided had something
3 like 44 cases pending in the MDL, or something. I
4 forget how it was, but the numbers didn't seem to match
5 to me, so I just want to make sure with him that -- I
6 am not really sure how they come up on his reports.

7 Generally, I do check in with him before I
8 come up for a status conference to make sure that we're
9 accurate and going along.

10 THE COURT: I question the statistical
11 process for the Eastern District of Pennsylvania as
12 opposed to MDL. I tend to, because I have to deal with
13 the cases jointly, include direct files in the MDL.

14 MR. CORR: Right.

15 THE COURT: Which they are permitted to be
16 directly filed, but I don't exclude them, except
17 perhaps the clerk of court has some reason to do that.

18 MR. CORR: Yes, he told me that that's just
19 the way the report has to be run for him. So, he gives
20 me two different reports, and then we just add them up.
21 He says they won't include them all on one report for
22 himself.

23 THE COURT: Well, I would like some
24 similarity at least, because the reports that he is
25 keeping get reported to the panel, which keeps

1 statistics, and I am often questioning that myself.

2 MR. CORR: Okay.

3 THE COURT: So, look into it and then we will
4 put our heads together.

5 MR. CORR: Okay. Great. The other issue
6 that we had on the agenda was other jurisdictions and
7 venues. In the joint position statement and case
8 status report we reported that there were two other
9 jurisdictions, California state court and Pennsylvania
10 state court, Philadelphia.

11 Currently, in the report we had, I think,
12 four cases pending in California. We believe there is
13 more like six or seven that are pending in California.
14 I believe they involve McKesson, and that's why they
15 are in California.

16 There are another maybe five or six that are
17 in flux, they have either been removed or are waiting a
18 ruling on that. There are issues there, but I think
19 Mr. Cheffo could probably address that better than I
20 can.

21 THE COURT: All right.

22 MR. CORR: And then in Philadelphia there
23 were three cases pending. My understanding is that one
24 of those cases there is an agreement to remove it and
25 come here and the other two are still pending in

1 Philadelphia.

2 I am not sure and maybe Mr. Cheffo can
3 address this, too, but he told me that two of them had
4 praecipies and had not had complaints yet, so they
5 weren't removable yet. So, maybe that's the issue
6 there.

7 But, other than that, those are the only two
8 jurisdictions we are aware of. I have spoken with all
9 of the applicants for the PSC, and in that meeting I
10 was told they were not aware of any other
11 jurisdictions, so from an anticipation standpoint I
12 don't anticipate other jurisdictions to be involved
13 other than California and Philadelphia.

14 THE COURT: Well, they have some time, and we
15 are pretty familiar with the issues. You laid them out
16 in the joint position statement. Of course, the
17 McKesson additional defendant is a typical way to file
18 complaints in multi-plaintiff cases in California.

19 It happens so often that I am looking for
20 what McKesson has actually been held liable for and
21 perhaps we are going to order some -- I have been
22 thinking about this and this would be something to
23 discuss with the PSC once they're formed, and Mr.
24 Cheffo, I have been thinking about ordering preliminary
25 discovery on that particular named defendant.

1 MR. CORR: Okay.

2 THE COURT: Because, there are allegations of
3 fraudulent joinder or a misjoinder or both, and I would
4 like to deal with that in a more factual way now,
5 Dealing with my experience in Avandia, I never did see
6 McKesson be held liable.

7 MR. CORR: Okay. Well, I will obviously be
8 on notice of it and also we will talk that over, I am
9 sure, at the PSC level as well.

10 THE COURT: Okay.

11 MR. CORR: Anticipated volume, Your Honor is
12 familiar, obviously, with the Zolofit litigation and the
13 Avandia litigation. We do not anticipate Effexor being
14 the size of either one of those.

15 So, in discussions with Mr. Cheffo and with
16 the PSC I think everybody kind of agrees that we
17 anticipate this MDL to be somewhere between 150 to 200
18 cases, and right now that's a guess. I mean, we are
19 just obviously early on in the litigation, but it
20 seemed to match up from both sides, speaking with Mr.
21 Cheffo, speaking with the applicants for the PSC,
22 everybody feels that that's about the size that we
23 should anticipate here.

24 THE COURT: Okay.

25 MR. CORR: Status of the cases currently

1 pending. As Your Honor knows, several cases were being
2 pursued here in the Eastern District and they were all
3 before -- I believe they were all before Judge Ludwig
4 and some discovery had taken place there.

5 It is my understanding that three 30(b)(6)
6 depositions have been taken in those cases.
7 Approximately one to two million pages of documents
8 have been produced by the defendants in those cases,
9 and they are being held, I believe, maybe -- I think
10 Karen Menzies and Scott Nabers and Chris Coffin have
11 been working on those. So, they have been the ones
12 that are managing those documents right now.

13 THE COURT: All right.

14 MR. CORR: My understanding from speaking to
15 those attorneys in those cases, there are some
16 outstanding requests for production of documents. I
17 don't know if there were motions filed on those or not,
18 or if there are any sort of outstanding motions that
19 have to be decided, but I think that everybody
20 understands we are going to be starting anew here with
21 some of that.

22 So, there were also interrogatories
23 exchanged, and I believe there may have been some
24 responses to those interrogatories. I am not certain
25 of that, I haven't seen it, but that's my understanding

1 of that.

2 I did ask if there were any pending motions
3 in those cases. I think the only pending motions
4 before they transferred to the MDL were motions for
5 non-convenience, which obviously I think are now moot
6 given the MDL.

7 And with that I don't think I have anything
8 else. Obviously the next issue was going to be the
9 applicants for liaison counsel, and I appreciate you
10 addressing that off the bat.

11 It is always nice not to have to talk about
12 myself.

13 THE COURT: Unless there is someone in the
14 house --

15 MR. CORR: So, I get to sit and listen to
16 everybody else.

17 THE COURT: -- that is opposing Mr. Corr, let
18 me know now or forever hold your peace.

19 MR. CORR: That's the question that makes me
20 nervous. So, I don't know if Mr. Cheffo has things he
21 wants to add to this?

22 THE COURT: Good morning.

23 MR. CHEFFO: Good morning, Your Honor.

24 THE COURT: As to those motions to transfer,
25 I believe that they can be dismissed without prejudice

1 that may come up again, given a remand for trial.

2 MR. CHEFFO: Exactly, Your Honor. I think
3 that's fine, Your Honor, thank you. And as usual, Mr.
4 Corr did a thorough and accurate job, so I am not going
5 to reiterate. I am just going to fill in some of the
6 holes where I think I might have a little more
7 information than Mr. Corr was privy to.

8 I think the numbers, you know, and obviously
9 we have less information about the numbers of cases
10 than the plaintiffs do, but what I have been told by
11 the various folks is I think his numbers are correct.

12 I think with respect to the two
13 jurisdictions, the state court jurisdictions, Mr. Corr
14 is also correct. There was praecipies, there may now
15 have been recently in two of those cases complaints
16 filed, but I will expect that they will be removed and,
17 you know, hopefully at some point transferred to Your
18 Honor.

19 THE COURT: Are they assigned to a particular
20 judge in Philadelphia who has been working those
21 matters?

22 MR. CHEFFO: No, Your Honor.

23 THE COURT: All right. So, if there was any
24 coordination with Philadelphia it would be through
25 Judge Buddy New (ph), because he is ostensibly the head

1 of that mass tort program.

2 MR. CHEFFO: Exactly, Your Honor. I think
3 that right now if these cases are removed there will be
4 no, at least currently there will be no Effexor cases
5 in the PCCP.

6 THE COURT: All right.

7 MR. CHEFFO: And with respect to California,
8 that's a little bit different story. So, there are
9 approximately six or seven cases that are in state
10 court that have been filed, removed, remanded by those
11 courts.

12 There are probably another half a dozen cases
13 that are in that process, you know, and the way the
14 process is now working is, you know, the cases get
15 filed, we remove them, typically we will ask the courts
16 to stay those cases, ask for the MDL panel to tag them
17 and transfer them to Your Honor.

18 Some judges there will kind of wait. Others
19 will just decide the remand motions, I am sorry. So,
20 you know, that's kind of a work in progress, if you
21 will.

22 THE COURT: Okay.

23 MR. CHEFFO: I think that those are -- my
24 understanding is those are California only plaintiffs
25 and I think it's the Robinson firm who has most of

1 those cases that are seeking the remand, and maybe
2 Karen can correct me if I am wrong on that.

3 THE COURT: I think I saw that some
4 Philadelphia cases that were removed here already named
5 Wolters Kluwer as well?

6 MR. CHEFFO: I think that's correct, Your
7 Honor.

8 THE COURT: So, I can expect some more
9 motions to remand?

10 MR. CHEFFO: I think those are Mr. Tracy's
11 and Ms. Pinto's cases. I am not sure if I saw it. You
12 will be speaking to that?

13 MS. FELDMAN: I will speak to it today.

14 THE COURT: So, her colleague will speak for
15 her today.

16 THE COURT: You look a little bit like her,
17 the hair, but that's about it.

18 MS. FELDMAN: I am just taller.

19 MR. CHEFFO: So, you know, and I think
20 that's, in terms of these issues. I and perhaps Mr.
21 Heim had a comment or may have a comment or two on just
22 the process and, you know, we can save those until the
23 end if that's appropriate?

24 THE COURT: That's fine.

25 MR. CHEFFO: Thank you, Your Honor.

1 THE COURT: But, you do have an attorney at
2 your table --

3 MR. CHEFFO: And I should have.

4 THE COURT: -- that I don't think was
5 involved in Zolof?

6 MR. CHEFFO: This is Sandy Bresnick.

7 MS. BRESNICK: Good morning, Your Honor.

8 MR. CHEFFO: She is a partner of mine at
9 Quinn Emanuel.

10 THE COURT: Very nice to meet you.

11 MS. BRESNICK: Nice to meet you, Your Honor.

12 THE COURT: And good morning to you too, Mr.
13 Heim. All right. Now, I think that that is a good way
14 to start.

15 I don't think it is necessary that we review
16 at this time what is Effexor and what is this MDL and
17 the claims all about, because we have two very good
18 representations of that already.

19 One is from the MDL panel itself which
20 adopted essentially the suggestions from both sides
21 that we see repeated in the joint position statement,
22 even though there are advocacy issues involved in that
23 joint position statement that we will not have to
24 address yet.

25 So, let's move on to the applications for the

1 plaintiffs' steering committee. I am, of course,
2 familiar with just about every applicant and I don't
3 need you to beg me, okay? There is not that many of
4 you.

5 There is 11 applications and yet I am looking
6 at a case, or an MDL, that is going to be smaller in
7 size. But, sometimes the discovery necessary for these
8 cases requires the same kind of work, initially, in the
9 general issues, the general Daubert issues and choosing
10 representations that need to move forward.

11 So, I am not sure the work is going to be any
12 less, it may just be less intense at certain times. I
13 also am looking at selecting a group that will be able
14 to coordinate with the Zolof and any other similar
15 type litigation, whether it is MDL or not.

16 So, I am looking for those qualities of
17 people that cannot only lead, but can direct and can
18 coordinate, and along with that your experience means a
19 lot to me.

20 One of the matters that means more to me
21 these days is that you each, individually, and your
22 firms have cases in the MDL where it is your primary
23 focus.

24 I am not interested in helping build a state
25 inventory of cases, not that occurs very often, but

1 sometimes it does and I want everyone's focus here to
2 be committed to the MDL's purpose, which is to
3 coordinate and discover and get these cases ready to be
4 tried or settled.

5 Simple, it is simple to me if I keep that
6 objective in mind. So, if you don't have any cases in
7 this MDL, but I believe all of the applicants do, I
8 think it is going to be hard to get on this. There may
9 be some time in the future where you might.

10 If you have, potentially, cases I need to
11 know how close you are to bringing them in. There
12 aren't that many cases in the state system I just
13 heard.

14 So, if there is other things out there yet
15 unfiled you may not have to tell me about them now, but
16 just give me your landscape and your future plans and
17 that will help me. Also, if any of you are interested
18 in a particular division of leadership or working on
19 the PSC let me know that now.

20 If any of you are interested in being a state
21 coordinator, a multi-district coordinator, not that I
22 see too much of that going on right now and the need
23 to, it is not like we're looking for those multiple
24 Avandia cases in the tens of thousands, but I still
25 think it is always good to have a point person, so

1 please let me know if any of you are interested in
2 doing that as well.

3 All right. And if there is anything to add
4 to your applications all you have to do is mention it.
5 So, we have now, in no particular order, these are just
6 the order that I think that they were filed in, we have
7 Mr. Richards? Good morning.

8 MR. RICHARDS: Good morning, Your Honor. It
9 is good to be here, I appreciate seeing you again. I
10 am glad to be a part of this. I am Jason Richards. I
11 am a partner of Aylstock, Witkin, Kreis & Overholtz,
12 and I am with Bryan who you know well.

13 THE COURT: Well, I know you pretty well,
14 too, you've been involved.

15 MR. RICHARDS: You do. You know Bryan a
16 little bit more perhaps, but obviously Bryan is not as
17 talented as I am. So, I will hope you will consider
18 that in making the appointments.

19 THE COURT: That's why I am giving you the
20 second word.

21 MR. RICHARDS: This will be my third MDL
22 before Your Honor. I am involved in Avandia and Zolofit
23 and now Effexor. You know, I started doing MDL work in
24 2004 with Bryan's firm and I have been primarily doing
25 MDL work since then. I do some insurance stuff and

1 some class action stuff as well, but my main focus and
2 my career at Aylstock has been MDL work.

3 I was heavily involved in Avandia, primarily
4 because Bryan was co-lead counsel in Avandia and
5 whenever you have a partner who is in your firm who is
6 co-lead counsel of any MDL it requires a lot of
7 teamwork.

8 So, I worked side by side with Bryan on most
9 of the issues involved in the MDL in Avandia. It was a
10 rigorous undertaking. I do a lot of briefing work. I
11 wrote the petition for cert in the Supreme Court in
12 Avandia which did not go so well for us.

13 But, in any event, my background really is a
14 supportive role and that's primarily because --

15 THE COURT: On the Humana matter?

16 MR. RICHARDS: Yes, ma'am.

17 THE COURT: Okay. That's the only thing that
18 I think that was actually attempted up there.

19 MR. RICHARDS: Yes, that's the only thing
20 that was attempted and failed. My work has usually
21 been in a supportive role and that's just because the
22 nature of my firm, everybody practices mass tort, so
23 folks like Bryan and some other partners have more
24 experience than I do, have been doing it a little bit
25 longer.

1 They get their name, you know, they submit
2 their own applications. But, this was a good
3 opportunity for me to submit my application in Effexor
4 because Bryan is already involved in Zoloft, so, I did
5 so.

6 So, you know, it's in my application a lot of
7 stuff, my qualifications, a little bit of my background
8 is in there. If you have any questions about that you
9 can certainly let me know.

10 THE COURT: I don't, but how many MDLs would
11 you say you have been involved in overall?

12 MR. RICHARDS: Probably seven or eight --

13 THE COURT: And how many are --

14 MR. RICHARDS: -- it dates back to Fen-Phen.

15 THE COURT: -- currently open and active?

16 MR. RICHARDS: I am in charge of all of the
17 SSRIs for our firm. So, I am involved currently in
18 Avandia is kind of gone, but Zoloft is what I am
19 heavily involved in right now and I work with the PSC
20 in Zoloft and again just in brief writing, work in
21 depositions and coordinated with defense counsel on
22 PTOs and some of the standard stuff behind the scenes
23 stuff.

24 You know, I don't get a lot of credit for it,
25 of course, and that's fine with me, but I do a lot of

1 the behind the scenes work for that.

2 THE COURT: You write, don't you?

3 MR. RICHARDS: I do.

4 THE COURT: You've written articles and
5 publications?

6 MR. RICHARDS: I have. I try and
7 occasionally I will get lucky and somebody will offer
8 to publish it. So, that's a lot of what I do.

9 My experience in Avandia, you know, has
10 prepared me and I was involved in Fen-Phen and stayed
11 up all night and did all of the late night stuff in
12 Fen-Phen, because that was a tremendous litigation, at
13 least for our firm. It kind of put us on the map and
14 got us where we are today.

15 But, I have been involved in winners, I have
16 been involved in losers. I won't mention any names
17 other than Viagra. But, you know, I have seen the good
18 and the bad and I know the ins and outs of the PSC,
19 because I do a lot of the PSC work.

20 I know the politics of the PSC, which is not
21 always my favorite part, but it is the part that goes
22 along with MDLs and personalities matter, and I think
23 the group we have here is a good group. I know
24 everybody, and it is a good group.

25 I think the group that ends up, you know,

1 that the Court ends up appointing will be a group that
2 can work together, and I am excited for the opportunity
3 to make it work in that group.

4 One of the odd things for me is that although
5 when I made my application everything was fine, you
6 know, everything was good, and then lo and behold,
7 Bryan Aylstock decides to steal my thunder and submit
8 his own application.

9 I can assure the Court that wasn't
10 intentional. We are not trying to stack the deck.
11 Things just happened that way and that's just kind of
12 the nature of the way things go. So, I hope that's not
13 an automatic exclusion for me --

14 THE COURT: It's not.

15 MR. RICHARDS: -- or Bryan.

16 THE COURT: Well, I don't know about that,
17 but it's not for you.

18 MR. RICHARDS: So --

19 MR. CORR: Do we get some say on the second
20 one?

21 MR. RICHARDS: So, I don't want to take up
22 too much time because obviously we have others to talk,
23 but you mentioned the, you know, the need for
24 coordination and to kind of have somebody be a point
25 person to stay on top of what's going on in state

1 court.

2 I do a lot of the work with Bryan on the
3 multi-district coordinator stuff for Zoloft, so I have
4 some experience with that and I would volunteer for
5 that position to the extent the Court deems fit to
6 appoint someone in that position.

7 You know, I think the Court is well aware,
8 though your work in the FJC about the role of the
9 multi-district coordinator and how important it can be,
10 and while there is only a California litigation, you
11 know, of substance right now, you know, once this gets
12 going sometimes other cases pop up, and the Court needs
13 to be aware of other cases that pop up and what's going
14 on in litigations, where discovery is, where trial
15 dates are set.

16 So, I think it is important for the Court to
17 have somebody to be the point person to keep an eye on
18 the state court litigation, but not necessarily to give
19 a report every month, it is not necessary, but to
20 inform the Court for the openness and the cooperation
21 the Court needs to work with in state court.

22 THE COURT: I agree with that.

23 MR. RICHARDS: So, I would happily volunteer
24 for that position in light of the fact that Bryan stole
25 my thunder.

1 Otherwise, on a personal level, you know, I
2 am married, I have been married for ten years, been
3 with my wife for 12 years. I am in Pensacola now, I
4 have a little baby girl who is two years old and wants
5 to know when daddy is going to be home.

6 So, I want the Court to know I say that, I
7 guess, to say when I apply to a PSC, which I have
8 actually never done before, this is my first
9 application, so when I apply to the PSC it means
10 something to me, because if I am going to spend time
11 away from my family it is going to be something that is
12 important and something I feel I want to do and commit
13 myself to doing it.

14 So, you will see me. If you appoint me you
15 will see me at the hearings. I am not going to
16 disappear and I look forward to the opportunity if the
17 Court obliges me to work on the PSC and help out in any
18 way I can, because although I will be multi-district
19 coordinator if the Court appoints me, the way this
20 stuff works is everybody is involved in everything.

21 So, my role won't be limited to that, it
22 would be, you know, part of my role, an important role,
23 but with a smaller PSC everybody has got to chip in.
24 So, I will be doing a lot of different things.

25 But, I look forward to the opportunity if the

1 Court were to appoint me and thank you for your time.
2 If you have any questions I will be glad to answer
3 them.

4 THE COURT: I have no further questions.
5 Thank you.

6 MR. RICHARDS: Okay. Great. Thank you.

7 THE COURT: You're next, Mr. Aylstock.

8 MR. AYLSTOCK: I will try to keep it shorter.
9 Good morning, Judge.

10 THE COURT: Good morning.

11 MR. AYLSTOCK: It is good to be back. You
12 have my application. Obviously, you know who I am. I
13 have been working on these SSRI birth defect-type cases
14 since 2006.

15 A lot of or actually, everybody over there I
16 have worked with on these cases over the years, and I
17 think you have a great group to appoint whoever you
18 appoint and I know that we will work together and we
19 will work very well together.

20 In my work in Paxil is where it began over at
21 the mass tort program in front of Judge Moss. We
22 developed some experts, we helped with the litigation
23 depository of all of the documents. We settled the
24 cases, one case as we were walking into the courtroom.

25 So, we have worked them all of the way up.

1 Obviously, we are very active in Zolofit. So, we
2 understand the issues very well with the SSRI cases and
3 look forward to working on these cases as well. We
4 have cases, so regardless of who the Court decides to
5 appoint we have an obligation to our clients and we are
6 going to be doing that.

7 One of the things that I am most interested
8 in in the Effexor litigation is making sure that we're
9 not too far behind the Zolofit litigation. Mr. Nabers
10 firm did do those 30(b)(6) depositions. We do have a
11 lot of the IND/NDA documents, so we are not starting
12 from ground zero, we can capitalize on that.

13 But, I think that we can be lean and mean in
14 this particular MDL and hopefully move to at least
15 start to catch up with the Zolofit litigation in how we
16 litigate this case and move it and take more
17 depositions and so forth. So, I am anxious to do that.

18 I am sorry that I stole my partner's thunder.
19 He absolutely does make me look good, which is hard to
20 do sometimes, but whatever the Court decides I am here,
21 I would like to participate in the leadership of this
22 case if the Court would find it desirable, because I
23 have a tendency to speak up no matter what, whether I
24 am on leadership or not.

25 But, most of all I think that this case needs

1 to move and it needs to move toward trial and we need
2 to keep in mind that there are a lot of people out
3 there that have taken this drug.

4 It was the number seven prescribed
5 anti-depressant, I think, in the year 2007. So, there
6 is millions of women who have taken it and there is a
7 lot of clients that we represent. It is certainly not
8 as big as Zoloft, but there are a lot of clients and
9 they all deserve their day in court and I am looking
10 forward to pressing them toward that day.

11 THE COURT: Well, I know how you work, Mr.
12 Aylstock, and you got Avandia with Vance and Diane and
13 Joe and Tom off to a good start. But, you are involved
14 in many MDLs right now.

15 MR. AYLSTOCK: I am, Your Honor.

16 THE COURT: In fact, you are the leader of a
17 large one, aren't you?

18 MR. AYLSTOCK: The transvaginal mesh MDLs and
19 it is, right now, I think it is one of the largest MDLs
20 there is. There is a very large team and that PSC is
21 56 members, I believe.

22 So, it is a very large team of people working
23 on that, and my law firm has grown from just a few of
24 us when Mr. Richards started, and now we have 16
25 lawyers and over 100 staff. So, I do have a lot of

1 support with that.

2 I, obviously, am keeping plenty busy, but I
3 would commit to you and this Court and the people I
4 represent that I would be here and I would be working
5 hard on this case as well.

6 THE COURT: And there is no problem with,
7 should I decide to do this, naming two partners from
8 the same firm?

9 MR. AYLSTOCK: It actually has been done. It
10 was done in the mesh MDLs, in fact.

11 THE COURT: It is usually a financial input
12 and a lot of firms have said to me just pick one of us.

13 MR. AYLSTOCK: Right.

14 THE COURT: But, I don't hear that coming
15 from you and Jason.

16 MR. AYLSTOCK: No, Your Honor.

17 THE COURT: Okay. Thank you, very much.

18 MR. AYLSTOCK: Thank you, Judge.

19 THE COURT: And Rosemary Pinto who couldn't
20 make it today?

21 MS. FELDMAN: Rosemary Pinto couldn't make it
22 today, but you've got me. And I am sorry, Your Honor,
23 I had surgery two weeks ago, so I don't stand up
24 straight and I don't walk too fast.

25 THE COURT: Are you all right?

1 MS. FELDMAN: But, I am going to do the best
2 I can. Your Honor, Ms. Pinto, we work kind of
3 interchangeable, so I am just going to talk as what our
4 work is.

5 THE COURT: But, you still better state your
6 name for the record.

7 MS. FELDMAN: I am Laura Feldman, for the
8 record, not Rosemary Pinto, but I am here to talk on
9 her behalf. We have been involved in -- we started to
10 get involved in the SSRI cases in the very beginning of
11 Paxil. We were involved in Paxil until we resolved
12 our docket, which was concluded in September of this
13 year.

14 We were actually asked by GSK to go out and
15 collect all of the remaining Paxil cases, so that they
16 could review them for disposal, which we did. In the
17 process we acquired a fairly substantial number of
18 Effexor cases, given that it is a small number of cases
19 that are out there, so that we have 30 cases that have
20 at least passed an initial vetting process.

21 Unfortunately, because we were so involved in
22 Paxil and because I have been out with surgery and Ms.
23 Pinto is trying a Topamax case, they aren't in front of
24 you yet, but that is our next project on our docket and
25 we will have that to you.

1 THE COURT: To file them directly here?

2 MS. FELDMAN: To file them directly. Anyway,
3 the cases that we have been involved in that have been
4 MDL cases have been Avandia, Zoloft, Yaz, Paxil was an
5 MDL to us, it wasn't to you, but it was to us.

6 We have also been involved in PPH, we still
7 do all of the PPH or we do most of the PPH in
8 Philadelphia. We are involved in almost all of the
9 Topamax in Philadelphia, and our experience with SSRI
10 cases is probably more extensive than, I am certain,
11 anybody in the Philadelphia area, but probably most
12 people because of what got filed in Philadelphia we got
13 involved in all of those cases and we are familiar with
14 all of those cases.

15 I personally am very, very interested in the
16 science. Ms. Pinto really has an unbelievable
17 historical understanding of what happened with these
18 SSRI cases, what's happened with the FDA because of her
19 involvement since the cases before they went to Judge
20 Moss, when they were still with Judge Tereshko in
21 Philadelphia. So, it goes back a great deal a long
22 time.

23 Effexor is our next big group. We are not a
24 large firm. We don't put on that we are a large firm,
25 but we are very, very committed. We are very committed

1 to issues that especially involve women and especially
2 involve children and that we are an all women run law
3 firm and that's something that has been very important
4 to us to keep near and dear to our hearts when we have
5 been working and that's where our next project is.

6 Rosemary has participated in three Paxil
7 trials in Philadelphia. She is picking her second
8 Topamax jury today.

9 THE COURT: Is that in Philadelphia?

10 MS. FELDMAN: In Philadelphia. The first
11 Topamax case will go to the jury, I believe, on
12 Tuesday. She worked that up, left that when the
13 defense went on to pick the next jury with the next
14 trial team.

15 So, we have been very involved in these types
16 of cases, we are very familiar with it and while we
17 have not been in a leadership position in an MDL, we
18 feel like we have put in our time and that we would be
19 very interested in doing it and we will work very hard
20 for whatever position Your Honor would be willing to
21 give us.

22 THE COURT: And I will say that seeing that
23 Rosemary Pinto did apply in the Zolofit litigation for
24 the PSC, even though she hadn't been selected at that
25 time she has been a committed member of that MDL.

1 MS. FELDMAN: She is a committed -- Rosemary
2 works harder than any person I know. So, I am sure
3 that if Your Honor is inclined to put her on it she
4 will make you proud for having done it.

5 THE COURT: Do I get you too if I name her?

6 MS. FELDMAN: We are the same person, I am
7 just taller.

8 THE COURT: Thank you, thank you, Laura.

9 MS. FELDMAN: You're welcome.

10 THE COURT: And Mr. Coffin?

11 MR. COFFIN: Good morning, Your Honor.

12 THE COURT: Good morning.

13 MR. COFFIN: It is nice to be in front of you
14 again. When I moved for transfer of the cases to this
15 Court my primary argument in front of the panel was the
16 efficiencies that I felt would be gained through you
17 and your staff.

18 THE COURT: Oh, you are one of those
19 flatterers, aren't you?

20 MR. COFFIN: Well, I am coming around to a
21 point though, Your Honor. And I argue that the
22 efficiencies would be great because of your experience
23 not only with MDLs, but obviously with Zolof and
24 thought later that maybe I should have some concern
25 about whether or not the burden that that puts on you

1 and your staff would be very heavy.

2 I realize that and I think all of my
3 colleagues realize that, and I am getting to the point
4 that we appreciate that you have agreed to take on this
5 task, because ultimately I do believe and I know my
6 colleagues believe that we will have a lot of
7 efficiencies in this case as a result. So, thank you
8 for being willing to take this on and it is good to be
9 in front of you again.

10 There are three points I want to try to go
11 through quickly about my application and why I would
12 like to be on leadership in this particular case.
13 First of all, my experience in pharmaceutical MDLs is
14 extensive and specifically MDLs related to serotonergic
15 drugs, very similar to Effexor.

16 The second point I will make is my
17 involvement specific to the Effexor birth defect
18 litigation. There is only a couple of us who have
19 actually been litigating the cases for the last over a
20 year and a half at this point, but just over a year
21 before I moved for the MDL.

22 The third point will be collaboration with
23 other colleagues and the ability to work with other
24 colleagues and I think those relationships are
25 important. So, I want to hit those three topics. Did

1 you have something to interject, Your Honor?

2 THE COURT: No, I will wait.

3 MR. COFFIN: Okay.

4 THE COURT: I do, but I am going to wait.

5 MR. COFFIN: Okay. All right. Very good.

6 So, my experience in pharmaceutical MDLs and specific
7 with regard to serotonergic drugs, I will highlight
8 four cases.

9 The first one is the Lexapro and Celexa
10 Products Liability Litigation which was in the Eastern
11 District of Missouri in front of Judge Sippel. I was
12 co-lead counsel in that case.

13 The second, I was on the PSC, actually before
14 that case I was on the PSC in the Paxil Products
15 Liability Litigation in the Central District of
16 California. That was in front of Judge Pfaelzer, and
17 more recently co-lead counsel in the Lexapro and Celexa
18 Marketing and Sales Practices cases, which are in front
19 of Judge Gordon in the District of Massachusetts.

20 Last, but not least, obviously appointed by
21 Your Honor in the Zolofit birth defect litigation. And
22 I bring that up because it is important to Your Honor,
23 obviously to know about our experience, but in my case
24 it has really been focused and specific to serotonergic
25 drugs, not just pharmaceuticals, but serotonergic drug

1 cases.

2 So, the second point is my experience in this
3 actual litigation. I filed what I think was the first
4 case, but is certainly one of the first cases in the
5 country, which is the Boyer case, and that was filed in
6 February of 2012.

7 Since that time I have been litigating
8 Effexor birth defect cases. Currently I believe I have
9 nine cases in this MDL, but in the Boyer case I was
10 actively involved. I was personally actively involved
11 in litigating those cases.

12 I was involved in motions practice, I was
13 involved in discovery including drafting
14 interrogatories, drafting requests, answering discovery
15 from the defendants, participating in depositions,
16 participating in multiple conferences with Judge
17 Ludwig, who you know the cases were consolidated
18 before. So, I have been very active in this particular
19 case.

20 THE COURT: Were they actually consolidated
21 or just related?

22 MR. COFFIN: Well, that's a good point.

23 THE COURT: I am not sure.

24 MR. COFFIN: I am not sure whether they were
25 actually consolidated, I am not sure about that. But,

1 anyways the point being that I have been actively
2 involved in these cases, and to be fair and complete,
3 Scott Nabers and I, Scott had cases in front of Judge
4 Ludwig as well, we really collaborated together. Some
5 of the issues Scott took the lead on and some of them I
6 took the lead on.

7 But, suffice it to say that we have been
8 litigating this case heavily for over a year prior to
9 transfer to Your Honor or prior to moving for transfer
10 to Your Honor I should say.

11 So, my experience in this particular case
12 exists. I'm committed to this case. I have currently
13 over 20 cases that have been vetted. I know that
14 that's an issue. It's an issue for most MDL judges to
15 determine who has cases, not only has cases where they
16 represent real clients with real injuries, but they
17 have been carefully vetted to ensure that proof of use
18 exists and that science supports that injury. I can
19 assure you that that's the case with the cases that I
20 have.

21 In that regard, I'll move to collaboration,
22 my third point. Collaboration is very important.
23 Obviously, you know relationships among PSC members are
24 very important because we want to be a cohesive unit
25 and have the same idea about how the litigation should

1 go forward.

2 This early stage, for the MDL anyway, there's
3 not a whole lot that can be done in that regard except
4 for what I think that I would at least try to do, and
5 that is to reach out to my colleagues and talk to them
6 about the Effexor cases and their idea about
7 organization and structure and strategy.

8 I have been collaborating with Tim Becker,
9 who has made an application. I don't think he's been
10 in front of Your Honor before, but on multiple cases
11 that we've filed, specifically Steve Corr, especially
12 in the last few months, about the organization and
13 structure for this hearing.

14 I've collaborated with Steve on the
15 documents, some of the documents that you asked us to
16 produce prior to this hearing. And I also reached out
17 to I think everyone who has made an application because
18 I've been talking to Effexor for a long while.

19 Most recently, Brian Aylstock, and not to
20 steal Jason's thunder, I've talked to Jason
21 specifically about these cases as well. Karen Menzies,
22 Michael Baum, obviously Scott Nabers, I really believe
23 that every one of these people I have tried to reach
24 out to and talk to about their ideas about how this
25 case should move forward.

1 And I think, as Brian mentioned and Jason,
2 you know, we're going to have a really cohesive group
3 here. I really believe that. We have a fantastic
4 group of lawyers with an extraordinary amount of
5 experience. And I think that your decision, although
6 it may not be easy depending on how much you cut down,
7 it will be the right decision either way you go.

8 So I'm committed to these cases. I have been
9 for over a year and a half. I'm happy to be in front
10 of you, and I look forward to the opportunity to serve
11 if you see fit.

12 THE COURT: Thank you, Mr. Coffin.

13 MR. COFFIN: Thank you, Your Honor.

14 THE COURT: Mr. Nabers.

15 (Pause in proceedings.)

16 MR. NABERS: Good morning, Your Honor.

17 THE COURT: Good morning.

18 MR. NABERS: And thank you for the
19 opportunity to appear here today. I know you've had a
20 chance to look at my application, so I will be brief.

21 I have been involved in mass torts for a long
22 time. I started my career as a young lawyer in 1992,
23 and as I got out of law school I started on silicon
24 breast implants. And, as you can imagine, no pun
25 intended, that was an eye opening experience to say the

1 least.

2 From there I worked on the Fen-Phen
3 litigation. I have been involved in the Baycol
4 litigation. I was in front of Judge Fallon in the
5 Vioxx litigation.

6 During the last seven years, I've spent most
7 of my time working on SSRI litigation. I was involved
8 in the Paxil litigation. My firm is with Mr. Ed
9 Blizzard who is on the Zoloft PSC here.

10 We had a number of Paxil cases that were
11 filed in state court in Philadelphia, and I served in
12 that case as a liaison for the plaintiffs, and
13 fortunately we were able to resolve our cases in that
14 litigation.

15 Since then, my time has mostly been focused
16 on doing both Lexipro and Celexa. My firm has cases in
17 the state court in Missouri and we're also involved in
18 federal court in New Jersey.

19 I have played an active role in that
20 litigation on the case selection committee, on the
21 trial selection committee, on the expert committee, and
22 I have spent a great deal of time in the last 90 days
23 taking the corporate depositions of individuals from
24 Forest Pharmaceuticals that's located in New York.
25 That's actually what I was doing yesterday in New York

1 before I came down here this morning.

2 I have also been involved in getting experts
3 for the plaintiffs' side, and we are getting ready to
4 present experts in that litigation as well. As Your
5 Honor knows, my firm is also heavily involved in the
6 Zolofit litigation.

7 In that litigation my partner, Mr. Blizzard,
8 is on the PSC and I participate on the case selection
9 committee, on the trial selection committee. I have
10 been involved in taking the Zolofit corporate witness
11 depositions and was fortunate enough to get to travel
12 with Mr. Cheffo to Paris to take some depositions, and
13 so that was very nice.

14 THE COURT: There's just a part of me that's
15 still jealous, and I don't know that I can actually get
16 rid of it. I'm trying very hard.

17 MR. NABERS: Well, I think we should have
18 taken you, Your Honor. You could have been --

19 THE COURT: I think so too.

20 MR. NABERS: -- there with us and ruled over
21 the deposition. Currently, we're following the
22 schedule order in this court, and I actually go back to
23 New York from here to start expert depositions with Mr.
24 Cheffo. And then not long after that I'm going to be
25 taking defense expert depositions before the end of the

1 year.

2 I have worked with everybody that's an
3 applicant for this steering committee in many, many of
4 these different mass torts that I've been involved with
5 and, honestly, Judge, if I was going to make a
6 suggestion to the Court, I would just say pick them all
7 because we really have all worked together for a number
8 of years, and I would love to be on the committee, I
9 would love to get to work with them.

10 I would also have to say I'm probably Mr.
11 Cheffo's favorite, so that would be another plus for me
12 to get to be on the committee.

13 THE COURT: That's got to count for
14 something.

15 MR. NABERS: Our firm is very committed to
16 this litigation, as Chris said earlier. I was the
17 first lawyer to take the first three corporate witness
18 depositions for Wyeth, those were the 30(b)6
19 depositions. They produced about 1.8 million pages of
20 documents to my firm.

21 All of those documents have been put into a
22 database, it's a searchable database. And there are
23 several different firms, some of which are applicants
24 for the committee. We have all been working together
25 to process those documents and to code them so that

1 they're easily more searchable.

2 THE COURT: And they're available to the MDL
3 now?

4 MR. NABERS: They are, yes, Your Honor. And
5 we actually have done it much like the Zolofit documents
6 have been done and much like the documents that Forest
7 has produced in the Lexipro/Celexa litigation.

8 And so they are available once the
9 confidentiality agreements are worked out they are
10 available, and we can search the database, anybody
11 that's involved in the litigation.

12 I did, also, as a part of the Effexor
13 litigation, I worked on the confidentiality protective
14 order with Mr. Cheffo. Like I said, I have been
15 involved in the depositions with him, I have been
16 involved in the discussions about the documents that
17 they have produced.

18 From the Fen-Phen litigation I have a unique
19 perspective just because I was involved in taking a lot
20 of the early Wyeth depositions. And so I know the
21 corporate structure, I know the personnel that was
22 there, and I think that's very helpful because, as you
23 know, Effexor really started out as a Wyeth drug before
24 Pfizer purchased Wyeth. And so I think that puts me in
25 a unique perspective in terms of knowledge about the

1 company.

2 I would love to serve on the committee if
3 Your Honor sees fit and I thank you for the opportunity
4 to be here today.

5 THE COURT: Thank you, Mr. Nabers. All
6 right. We are up to Michael Baum.

7 MR. BAUM: Good morning, Your Honor.

8 THE COURT: Good morning.

9 MR. BAUM: I haven't actually been on a PSC
10 in front of you, but I have been on a number of PSCs,
11 maybe 20 I think, that have spanned between airline
12 crashes to bank fraud and now, for the most part, I
13 work on (indiscernible) type-drug litigation, for the
14 most part, SSRIs.

15 I started working on SSRIs back in 1991,
16 worked on some of the initial MDLs with respect to the
17 Paxil Products Liability. Our firm was the lead
18 counsel for the Paxil Products Liability case in front
19 of Judge Pfaelzer, worked closely with Chris Coffin in
20 that litigation.

21 At the time, Karen Menzies was in my firm and
22 we were the lead counsel for that. She's now with
23 Robinson Calcagni. We've all worked together closely
24 on the SSRI cases for probably a dozen years now.

25 With respect to the birth defect litigation

1 itself, I found some of the initial documents that
2 showed that there was a link between Paxil and cardiac
3 birth defects while we were working on another
4 litigation.

5 And that led to us surveying our database of
6 Paxil clients and finding that some of our clients
7 actually had taken the drug while they were pregnant
8 and ended up with children that had cardiac birth
9 defects.

10 That has led to our doing the initial
11 research into the science. What is the mechanism for
12 how the drug actually causes birth defects? It's
13 closely related to the mechanism of how it cause --
14 it's related to its alleged anti-depressant effects.

15 The set of experts helped develop their --
16 actually having worked with the ones who did the
17 initial research into the mechanism of how the molecule
18 of an anti-depressant interferes with the signaling of
19 embryonic cells, it's not just a neurotransmitter.
20 It's a signaling molecule for fetal and embryonic cells
21 as they're developing.

22 That set of scientists that developed that
23 science we've worked with and developed as our experts,
24 worked closely with the development of their expert
25 reports.

1 I'm on the science committee for the Zoloft
2 MDL birth defects cases, science committee and
3 selection committee for the Celexa/Lexapro cases. I've
4 worked closely with developing the documents, reviewing
5 the documents, presenting the documents to the experts,
6 and presenting the documents for the depositions just
7 yesterday with Mr. Nabers.

8 I have quite a bit of experience with SSRIs,
9 the science. I would like to be on the science
10 committee for this case, as well as I am on the science
11 committee for the Zoloft cases.

12 And I know all of these lawyers from either
13 the Avandia litigation, the SSRI litigation I've done
14 with them. I've worked on a number of MDLs with these
15 people and would like to work with these people, and
16 will be working.

17 We represent about 30 cases that are in this
18 court or in the MDL. I have about a total of 70
19 Effexor cases. Some of the cases are in state court in
20 California and are joint cases with the Robinson
21 Calcagni firm.

22 I could probably keep talking. I've done an
23 awful lot of SSRI litigation. I could probably answer
24 a lot of questions about it. But, I think I would be a
25 very helpful and committed member to the PSC. I will

1 be working with them anyway because we too apply the
2 science.

3 THE COURT: Well, I appreciate knowing that.
4 Thank you very much.

5 MR. CHEFFO: Your Honor, sorry to interrupt.

6 THE COURT: It's all right.

7 MR. CHEFFO: Mr. Baum and I have talked about
8 this before, but I would just like to ask Your Honor at
9 the end if we can maybe have an in camera discussion
10 with you?

11 THE COURT: The two of you?

12 MR. CHEFFO: Yes, Your Honor.

13 THE COURT: All right. I'm sure there's a
14 good reason for that, so yes, I think we'll have time
15 for that today.

16 MR. CHEFFO: Thank you, Your Honor.

17 THE COURT: Thank you.

18 (Pause in proceedings.)

19 THE COURT: All right. Then the next is
20 Timothy Becker.

21 (Pause in proceedings.)

22 MR. BECKER: Hi, good morning, Your Honor. I
23 am the other new face in the crowd. It's a pleasure to
24 appear in front of you today. Because I'm one of the
25 new faces, let me just tell you a little bit about who

1 we are and what our firm is.

2 I've been doing mass tort litigation
3 basically since 2000-2001 when I was with Zimmerman
4 Reed, which is a, as the Court may know, a fairly big
5 mass tort firm in Minneapolis, Minnesota.

6 About two and a half years ago, my I guess
7 best friend next to my wife and former best man in my
8 wedding and I decided to form a firm together, which is
9 now called Johnson and Becker, and our practice is
10 about 90 percent committed to mass torts.

11 I worked in a number of MDLs over the years
12 ranging from Baycol to Zicam, as my application noted.
13 I took the Welding Rod case to verdict. While we had
14 an unsuccessful verdict, was ultimately reversed on a
15 motion for a new trial before Judge Dowd in the
16 Northern District of Ohio, and then subsequently the
17 case went on to settle after I left Zimmerman Reed.

18 I've also argued before the Eight, Ninth, and
19 Tenth Circuit, and I tell you that, Judge, because I
20 think that it gives me a little bit of a unique
21 perspective and then it book ends the practice of
22 litigation.

23 There's aspects of litigation that relate to
24 how you present a case to a jury and work it up, and
25 then there's aspects of it that relate to how you

1 sustain those things in front of a court of appeals,
2 and I think my experience has given me some insight
3 into that.

4 There are two primary reasons, Your Honor,
5 that I have applied in this case because we did not
6 make a similar application in the Zolofit litigation.
7 The first relates to a commitment that we have to this
8 case.

9 As Mr. Coffin alluded to, we are working
10 these cases together. Currently, we have nine
11 plaintiffs on file here in federal court. I believe
12 Mr. Coffin filed along with me the second case, second
13 Effexor case in the country. We filed I think the
14 third through fourth or fifth after that, and we have
15 another 13 or so that have completed our vetting
16 process in which we anticipate filing shortly into this
17 court.

18 So we have an inventory, represent a number
19 of clients somewhere north of 20, and that's important
20 for a couple of reasons. First, as I tell people both
21 in my firm and outside when they ask me what I'm doing,
22 this is in times my favorite and least favorite case to
23 work on. And the reason for that is the same.

24 Unlike any other clientele that I have, the
25 plaintiffs in this case are probably the most deserving

1 that I represent, which is not to say that ultimately,
2 this will be a successful litigation or not. It is
3 just to say that when you represent a child it brings
4 into your focus different things than when you
5 represent somebody who has had the benefit of a long
6 life.

7 So I have sat in living rooms with the mom,
8 with the dad, and with the four year old and five year
9 old, and seen the struggles that that particular child
10 has.

11 And I note that because I think it is what
12 compelled us to step forward in this case, because we
13 made a commitment to those parents, we made a
14 commitment to those kids, and we'll make the same
15 commitment to you.

16 We were in this case from the beginning,
17 we'll be in in the middle, and we'll be in at the end,
18 and we will be in that because we have a profound sense
19 of trying to seek justice on behalf of our clients, who
20 in these cases, as you know, are children.

21 The second reason we made an application is I
22 think it goes to our core philosophy as a law firm,
23 which is this. We think that cases ought to be run by
24 people who have cases. They have a particular interest
25 in getting an outcome for the clients. They have a

1 particular awareness of the fact that there's a client
2 at the end of the case, and that is what compels the
3 decisions that they make.

4 And it is for that reason that you did not
5 see us apply in the Zolof case, where we have a very
6 limited inventory, and as you're well aware, they're
7 wonderful attorneys representing the plaintiffs in that
8 case and carrying the water on behalf of firms like
9 myself.

10 Here, we think it's a little different, and
11 the reason for that is this. I agree with what Mr.
12 Corr told you, that at the end of the day this case
13 will likely have somewhere between 150 and 200
14 plaintiffs involved in it.

15 Because of that, currently we represent seven
16 to ten percent of what the inevitable universe of cases
17 will be. And as a result of that, there is a
18 significant likelihood that one of my clients will be
19 selected as a bellwether client somewhere down the
20 road, or bellwether case, either by the plaintiffs or
21 by Mr. Cheffo and his colleagues.

22 Now, I've been on both sides of that aisle
23 where I've had bellwether cases selected where I was in
24 the case, and where I had been involved in leadership
25 and where I understood the documents and the science.

1 And then I've been involved where the call
2 came one day and said congratulations, you have a
3 defense bellwether pick. And I can assure you that my
4 level of preparedness in those two situations was
5 fundamentally different.

6 So, because of the fact that we believe that
7 one of our cases at least will go through the vetting
8 process, we think that we have an obligation to stand
9 up on behalf of our clients and ask to be selected for
10 this case.

11 Finally, I'll echo what my colleagues have
12 said, which is I've worked with almost every one of the
13 lawyers in this case, whether directly in litigation or
14 through AJ or, you know, plaintiffs organizations. I
15 like all of them a great deal. I believe our firm can
16 contribute to this case and I would ask to be selected
17 as a member of the PSC.

18 THE COURT: Thank you.

19 MR. BECKER: Thank you, Judge.

20 (Pause in proceedings.)

21 THE COURT: Next is Diane Nast.

22 (Pause in proceedings.)

23 MS. NAST: Good morning, Your Honor.

24 THE COURT: Good morning. Now, you don't
25 have to tell me everything you've done. I know what

1 you've done.

2 MS. NAST: Oh. And I promise you I won't do
3 that.

4 THE COURT: But, I just need to know where
5 you see yourself and what role in this type of
6 coordinated litigation.

7 MS. NAST: Your Honor, I am happy to serve in
8 whatever capacity, if any, that you think is
9 appropriate in any of the positions in which people
10 serve.

11 I am currently, as you know, co-lead counsel
12 in Zolofit. I was co-lead counsel in Darvon, that case
13 has been resolved. So I have the time to make the
14 commitment to serve in any capacity in this case that
15 you find appropriate. And I suspect you have a plan or
16 at least the outline of a plan for what you think is
17 appropriate here, and if I fit into that plan, that's
18 good.

19 It's interesting to note the three MDLs that
20 you've had. In Avandia we ended up with what, 60,000
21 cases, not filed cases, but 60,000 cases. There were
22 17 people I think on that steering committee
23 ultimately.

24 THE COURT: At the end, yes, when they had
25 been added.

1 MR. NAST: And in Zoloft, we're maybe going
2 to have 450, 500, perhaps a little bit more cases. You
3 had 32 applications for the steering committee, and 17
4 people were selected to serve on the PSC.

5 Here, we have a smaller number of cases, but
6 as you have noted, the level of work is not
7 significantly different. You still have to take the
8 discovery, take the depositions, get the documents, and
9 so forth.

10 So, however many people you find appropriate
11 to appoint to the leadership positions, you at least
12 have to deal with a much smaller applicant group than
13 you had in the other cases. Counting Steve, I think
14 there's 12, and I think that was your count as well.

15 The only thing I would say about myself is
16 that one of my strongest values in litigation is
17 civility. And some of my colleagues from time to time
18 say that's softness. I don't think it's softness. I
19 think it's a much easier way to get agreement rather
20 than to end up, you know, head-to-head.

21 Then I only have two other points to make.
22 One is if you put both Brian and Jason on the
23 committee, I think they should pay a premium
24 assessment, not just a regular assessment.

25 THE COURT: Like Cadillac --

1 MS. NAST: Yeah, exactly.

2 THE COURT: -- medical insurance? Yes.

3 MS. NAST: And then, secondly, not to
4 disagree with Mr. Nabers, but I think I could say that
5 both Mr. Cheffo and Mr. Heim might pick me as their
6 favorite. And unless Your Honor has any questions, I
7 have nothing to add.

8 THE COURT: No, as usual, I appreciate your
9 interest and assistance.

10 MS. NAST: Thank you.

11 THE COURT: Thank you. Okay. Now we have
12 Mr. Zonies.

13 (Pause in proceedings.)

14 MR. ZONIES: Good morning, Your Honor.

15 THE COURT: Why are you looking at the clock?

16 MR. ZONIES: I just wanted to make sure it
17 was still the morning. No offense, Jason. As always,
18 it is a great pleasure to be before the Court.

19 I believe this is almost exactly six years to
20 the day when I stood here for the first time, and I'm
21 thrilled and proud to be doing it again six years later
22 with more gray hair and a couple more inches around the
23 waist.

24 Another great cause, another great group of
25 people to potentially work with, save Brian. And in

1 probably, as you know and I've said before, my favorite
2 place to be in court, on my feet in front of fantastic
3 support.

4 And if Cheffo gets under oath, he'll admit
5 it's actually me, and I think Bob Heim would too, as
6 their favorites. I'm still working on the corner over
7 there of the table.

8 It would obviously be a great pleasure to
9 serve the Court again on a PSC in any capacity. I look
10 forward to the opportunity to lead from the front for
11 this Court at any point in time and will keep knocking
12 on that door with any of these fine lawyers, many of
13 whom I consider very good friends, some who I'm not so
14 sure they would say that about me, but all great
15 lawyers, all good colleagues, and we'd like to serve
16 for the Court in any capacity.

17 THE COURT: Thank you. I do know how hard
18 you work, and you actually litigated many matters in
19 Avandia before me. So I know the quality of your
20 litigation skills as well, and that was on the science,
21 as well as other matters.

22 So I'm looking forward to having you
23 participate here, and I'm trying to figure out how you
24 and others of your wonderful co-colleagues here
25 applying that are so involved in Zolof, does that make

1 it easier or more difficult to coordinate between the
2 two?

3 I already saw the common issues that emanate
4 from natural litigation in taking depositions. And you
5 think you have the ability to cut through that with
6 this fine group and with Zolofit?

7 MR. ZONIES: I think that it actually is a
8 great opportunity to help both cases move more
9 efficiently to have a core group here in Effexor that
10 can help with civility continue, you know, to focus and
11 drive both cases simultaneously, particularly since we
12 have the same esteemed opposing counsel.

13 And we've learned a lot already in Zolofit
14 that I think can help us drive Effexor more
15 efficiently, which I think will bring truly a
16 congruence of these cases moving forward more quickly,
17 more efficiently, driving them to their ultimate
18 resolution. I mean I think this is actually a great
19 benefit to Zolofit that this case exists.

20 THE COURT: I hope so. Otherwise, it's going
21 to be a nightmare on two fronts.

22 MR. ZONIES: Yeah. That possibility exists,
23 but I don't think with the group and the Court that's
24 running this that that's a problem. I think actually
25 it's a benefit.

1 THE COURT: Well, we count on your
2 professionalism. Thank you.

3 MR. ZONIES: I'll try to look for that in my
4 bag over there, Your Honor. Thank you.

5 THE COURT: I want to say that when it comes
6 to civility every one of you treats each other in just
7 the way that I would hope. But, I've noticed, like
8 Diane Nast has noticed, that if men choose the term
9 "civility" or act that way, they are labeled
10 professionals. This is professionalism. And if women
11 do it, we're soft. So, you know, we take it on the
12 chin and then we keep moving on, right?

13 MS. NAST: That's correct, Your Honor.

14 THE COURT: But, it is the way I expect my
15 attorneys in my MDLs to operate. And I don't expect
16 anything different from any of you, so this is all good
17 news. All right.

18 MR. CORR: I've never heard anyone call Diane
19 soft, Your Honor. Civil, yes, soft, no.

20 THE COURT: Well, they don't after they know
21 her or me. Okay. Mr. Schnieders.

22 MR. SCHNIEDERS: Good morning, Your Honor.
23 My names is Chris Schnieders. It's actually
24 Schnieders.

25 THE COURT: Schnieders.

1 MR. SCHNIEDERS: It's I before the E. I
2 don't know if that's an Ellis Island mix up or what,
3 but for whatever reason the I is before the E and so
4 I'll forever be known as Chris Schnieders.

5 THE COURT: I'll try to remember.

6 MR. SCHNIEDERS: Your Honor, I'm with the law
7 firm of Wagstaff and Cartmell. You're very familiar I
8 know with Tom Cartmell, through the Avandia and the
9 Zolofit litigation. He was up here many times speaking
10 with you and having the opportunity to address you. I
11 spent most of those times with many attorneys back in
12 those seats back there, so I'm honored by the ability
13 to sit here and talk with you today.

14 Every one that is on this panel is obviously
15 highly qualified, and I'm honored to be a part of the
16 group that has applied for this PSC here today. That
17 being said, I'm going to highlight a couple aspects of
18 my application. I know you've reviewed it, and there's
19 nothing else in there that I particularly have to add
20 other than to highlight a couple of things.

21 I believe it was the painter, Benjamin Haydon
22 that said "Never suffer youth as an excuse for
23 inadequacy," and that's something that I have taken to
24 heart in my career. I believe that I owe it to my
25 clients to be as capable as anyone that I'm around at

1 any point.

2 I don't have the CVs that some of my
3 colleagues here today speaking to you have. I don't
4 have the PSC appointments that have been present in the
5 past, but I have done the work on both a micro and a
6 macro level. When I say that, I've done the PSC level
7 work. Dating back to Celebrex, Bextra, I helped work
8 up trial picks.

9 In the Avandia litigation I was on the
10 Daubert committee, I was on the science committee. And
11 every one of those hearings we had where Jill and Tom
12 did such a great job on science day I was sitting in
13 that box over there helping the team move along, so
14 I've worked on all that.

15 I took expert depositions in that case. I
16 helped work up the trial package and was one of the
17 lawyers that was lucky enough to be here when the
18 Burford case was about to be tried on that trial team.

19 So I've worked in the past in the Zolofit
20 litigation. I've been lucky enough to have been asked
21 to take numerous depositions. And that's an honor that
22 I've been trusted with that and I appreciate every
23 aspect of that.

24 I also serve on the marketing and on the --
25 I'm sorry, the marketing and the discovery committees

1 in that litigation, and those are a couple of areas
2 where we feel like we're really starting to push to be
3 able to do what we need to for our clients and to help
4 move that litigation forward as it is moving and
5 progressing now.

6 I also, in that litigation, serve as the
7 deposition coordinator, and so I've had the opportunity
8 to talk and meet with Mr. Cheffo and several of his
9 colleagues numerous times. I get along with each and
10 every one of them. We may not always see eye-to-eye on
11 what the issues are, but we've always been very
12 respectful of one another, and I would certainly expect
13 that to continue.

14 I've had the opportunity to work with
15 everybody in this box. I will continue to work with
16 everybody in this box. And I appreciate having such
17 high quality colleagues to be able to work on cases
18 such as this.

19 On the micro level, which is, you know, more
20 the case specific side of things, I have the
21 opportunity, and I have a strong base and still do,
22 with working in case-specific issues, with talking to
23 the clients, with working on things like plaintiffs'
24 fact sheets, explaining to clients what's going on on
25 the upper levels of the litigation, you know, why

1 things take as much time as they do, what's happening,
2 and the fact that there's not just an inert movement on
3 the -- on the entire case.

4 I think something that I could bring to this
5 PSC is the ability to take the macro and the micro and
6 juxtapose those together in order to make it the most
7 efficient PSC that it could be, and also to help along
8 in the Zolofit litigation where I'm highly involved in
9 these issues as well, and I believe that we can get
10 this to dovetail very nicely.

11 We do have an inventory at Wagstaff and
12 Cartmell, and I am counsel of record in the case that's
13 filed before Your Honor at this point. I would just
14 close by saying that I would appreciate the honor of
15 being named to this PSC and I humbly ask for that. And
16 I'd like to answer any questions you might have.

17 THE COURT: I don't have any questions
18 because I know that you have been working on the other
19 matters, not because I saw you here, but because your
20 name is on every pleading that came out of the
21 litigation. So I know that you were right in there, so
22 thank you.

23 MR. SCHNIEDERS: Thank you, Your Honor.

24 THE COURT: Karen Barth Menzies.

25 (Pause in proceedings.)

1 MS. MENZIES: Good morning, Your Honor.

2 THE COURT: Good morning.

3 MS. MENZIES: I'm Karen Barth Menzies from
4 the firm of Robinson, Calcagne, Robinson, Shapiro,
5 Davis. It's a pleasure to be before you again. This
6 will be my second application to the Court. I was
7 involved in the Avandia cases for awhile in the PSC and
8 then kind of got a little distracted into the Paxil
9 world, and I apologize for that, but have used a lot of
10 that experience I think to the benefit of this
11 litigation.

12 For starters, I would like to say that I'm
13 delighted by the group of people we have here. You
14 know, a lot of times we come to these MDLs and there's
15 some people that stick out like sore thumbs, and you're
16 kind of wondering oh, I didn't even know they were
17 doing that litigation, and I can't say that about this
18 group. I'm just thrilled that we've got a wonderful
19 team and I'm really looking forward to working with
20 them, regardless of whether I'm appointed.

21 To start off, as my experience, I think that,
22 you know, we always see each other in different
23 seminars and conventions and people always say what are
24 you working on, what are you working on.

25 And I think for the last 15 years I've been

1 saying the SSRI cases. This has been an area of
2 dedication for me in my career. I believe very
3 strongly in these litigations.

4 In 2001, I was appointed lead counsel of the
5 MDL, the Paxil withdrawal MDL with Judge Pfaelzer in
6 the Central District of California, and that was really
7 my first introduction to MDLs and I kind of learned a
8 lot along the way.

9 But, I was happy to report that we had a very
10 contentious fight for a number of years with very able
11 lawyers at King and Spalding. Chilton Varner in
12 particular was my counterpoint, and by the end of the
13 day, we ended up settling the litigation less than a
14 month before our first trials.

15 And thereafter, when we settled our inventory
16 we didn't continue with cases, but myself and Ms.
17 Varner assisted the mediator on Judge Pfaelzer's
18 request and continued to get the rest of the litigation
19 settled, including me acting as liaison counsel for
20 the other plaintiff's counsel and in pro per
21 plaintiffs, and were able to resolve those cases, over
22 3200 cases. So it was a proud accomplishment for me
23 and my real introduction to the MDL world.

24 It was followed by appointment in 2006 as co-
25 lead of the Paxil, co-lead and liaison counsel for the

1 Paxil mass tort program, which was run similar to an
2 MDL.

3 And what we did there, and a large part of
4 our group is here today still, we setup -- I was
5 co-lead with Clayton Clark, and what we had done is
6 setup a real cohesive group of individuals, and I was
7 responsible for kind of the management of that group,
8 and that's why I've come to this Court seeking an
9 appointment to leadership because I can say I value
10 very highly the input of my colleagues.

11 I also value the organization and keeping the
12 group moving. In that litigation we had weekly calls
13 with a formal agenda, and my task was to run those
14 weekly calls, setup the agenda, and assign tasks, and
15 most importantly, follow up on tasks to make sure that
16 we continue to move the cases forward in litigation and
17 to continue to get input in the valuable work from the
18 entire group.

19 We housed the documents for that litigation,
20 gave access to them. There wasn't a formal MDL so we
21 just setup an informal working group, and we made sure
22 that everybody had access to those documents as they
23 needed, as well as once we settled our inventory, which
24 was in about 2010, we didn't continue with further
25 cases, but even to this day we still house that

1 document depository and have assisted plaintiffs in
2 especially where to go to get to Lauren Rosemary if
3 they're needing updates on a litigation. So we
4 continue to play that role.

5 And I would say an important part of my
6 focus, as you know, I've been working on the Zolof
7 cases with my partner, Mark Robinson. Effexor in
8 particular to me is important.

9 We had filed some cases in California before
10 the petition for the MDL was filed and, frankly, the
11 answer or the reason we did that was because we didn't
12 think it was going to be that big of a litigation. I
13 still don't think it's going to be that big of a
14 litigation. I think Mr. Cheffo is correct, we're
15 looking at around 150 cases, maybe 200 at the end of
16 the day.

17 We have five cases pending in California
18 right now, and there is a JCCP that's been appointed.
19 Since the MDL petition was filed, we have submitted --
20 we filed a number of cases and now currently have 32
21 before Your Honor, and so I'm looking forward to
22 actually working in the California case in conjunction
23 really with the leadership here in the MDL.

24 I have had a tolling agreement on these cases
25 with counsel for six years. I have clients that I have

1 represented that long. And, as I have told you, I have
2 quite a few clients in this litigation.

3 I really, really am looking forward to this
4 case moving forward quickly, as quickly and as
5 efficient we can. And I am all about professionalism
6 for sure, and I think we need to be, and I believe you
7 need to choose your battles, but I also think we need
8 to do what's necessary to bring the issues in dispute
9 to the Court, get them resolved in moving forward
10 quickly.

11 We are housing documents for the Effexor
12 litigation. I've been working with Mr. Coffin's firm
13 and Scott Nabers in doing that and yes, those are
14 available. We can sort of just parlay those into the
15 group, into the MDL.

16 In this situation we haven't been using an
17 outside vendor, we have been doing it inhouse. I think
18 it's been very efficient. If we need to expand that
19 and get more help, we certainly are willing to do that.
20 But so far, we have been running it in a very efficient
21 manner. And I think that's just my main point, unless
22 you have any questions.

23 THE COURT: I don't.

24 MS. MENZIES: Thank you, Your Honor.

25 THE COURT: I know your qualifications.

1 Thank you.

2 MS. MENZIES: Thank you for your time.

3 THE COURT: Is there anyone else that needs
4 to address the Court? I would want you all to
5 understand how appreciative I am of your willingness to
6 serve yet again, and as far as I'm concerned this won't
7 be a difficult decision for me.

8 I would, however, like to speak to a number
9 of you concerning where that plan is fomenting because
10 Ms. Nast is right, I always have an idea of what I want
11 to do, but I am just experienced enough to realize and
12 practice the actual rule I've adopted, listen to the
13 attorneys because they're in the middle of it, and
14 that's all the attorneys. And I do want to talk to
15 some of you about assuming certain positions before I
16 actually publish an order appointing those that will be
17 serving here.

18 So, I would like to speak to you personally,
19 each one of you, except everybody always seems to have
20 a flight to run to. So, in order of whoever doesn't
21 have to -- you know, whoever has to go first, I would
22 like to see you.

23 We have not much to talk about yet on this
24 list except scheduling for future events. And I know
25 that my law clerks have to leave so that's okay. But

1 we won't be scheduling from the bench. But when you
2 are named you'll have to give me an idea of how often
3 you wish to meet.

4 I find that meetings are productive for you
5 because you get other work done, but I don't think a
6 monthly meeting in court is necessarily necessary. So
7 we'll work, as we have in Zolof, off and on every
8 other month in court, and in court as needed, of
9 course, if there's oral arguments. But would liaison
10 counsel like to address the Court?

11 MR. CHEFFO: Just very briefly, Your Honor.

12 THE COURT: Yes.

13 MR. CHEFFO: I think that Your Honor was
14 actually encouraged and comforted to hear a lot of
15 really synergies both with what Your Honor said and
16 what many of the lawyers have. And I would echo really
17 what they said, I think this is a, you know, a very
18 talented collection of lawyers in terms of their skill
19 set.

20 From our perspective and, you know, I was
21 going to say don't really have a dog in this fight, but
22 to some extent, we do, because I think it's important
23 that we are able to efficiently represent our clients
24 on both sides.

25 So, what I think I would urge is, you know, I

1 think experience is important in these cases. You
2 know, as Your Honor I think said in the Zoloft
3 litigation it's true, to the extent that someone is not
4 on a PSC doesn't mean that they can't participate, and
5 we've heard that today. There's always room. So I
6 think that having experienced leadership is important.

7 I think that having cases and a commitment is
8 important. We saw I think an expectation early in
9 Zoloft of thousands of cases and, you know, again, Your
10 Honor will know best about whether the size of the PSC
11 would have been the same if there was 400 cases as
12 thousands, but I think that's at least a consideration
13 because while certainly I know it makes sense on our
14 side to have the appropriate resources and certainly on
15 theirs, there can somehow be a lack of efficiency when
16 there's, frankly, more people necessary than to do it,
17 and more kind of hierarchy and chains.

18 So I'm not specifically kind of alluding to
19 any person or really commenting on Zoloft so much, but
20 just saying here I think that the PSC probably in our
21 view it works best when it's right sized to the number
22 of cases.

23 Then I think probably the most important
24 thing is a full commitment, and Your Honor said this
25 and I think some of the counsel. And we have a unique

1 opportunity here because we do have a limited
2 university of cases. Frankly, I'm not sure why there
3 should be any state court cases. Every case that is
4 filed is -- first of all, there's probably less than
5 ten of them.

6 If there's only going to be 150 or 200 cases,
7 anybody who is on the PSC and on the leadership can
8 certainly file any of those cases. There's no
9 jurisdictional issues. Both the ones that are filed
10 can be, you know, dismissed without prejudice and
11 refiled here because the only controversy, and this was
12 not a matter of not coordinating with state courts.
13 You know, we have taken to heart, I know Your Honor has
14 made that point, if people want to file in state
15 courts, that's fine, that's their ability to do that.
16 We will coordinate as best we can with them.

17 This is not a matter of saying federal court
18 over state court, but the real question is here is so
19 have folks who are applying for a leadership position,
20 and it's hard to lead when your allegiances are between
21 state court and federal court.

22 I, again, don't see a reason at this point in
23 the litigation where we have such a unique opportunity
24 where the plaintiffs have filed an application, where
25 Pfizer supported the application that we can't do what

1 needs to be done in the MDL without ultimately having
2 to worry about stepping on toes and trial dates and
3 cross-noticing depositions and having other folks
4 involved.

5 So to us, that's probably one of the most
6 important things that I think is a fair certainly
7 request for Pfizer, and with all due respect, I think
8 it's a fair request for the Court to make of folks who
9 want to lead this MDL.

10 So, with that, you know, in terms of the
11 civility, the coordination, kind of the ethical, hard
12 fighting, I think all that we completely agree and I
13 would expect to take those models from Zolof with this
14 group that Your Honor appoints.

15 THE COURT: Thank you.

16 MR. CHEFFO: I don't know if Mr. Heim has
17 anything to add.

18 THE COURT: Mr. Heim?

19 MR. HEIM: Your Honor, I think the only point
20 that I would make is a point that Your Honor has made
21 before, and that is we have seen that litigation works
22 best when the PSC group works well among themselves.
23 When they're cooperative among themselves they move
24 faster, and when they move faster they get to us
25 faster.

1 So having a group that works cooperatively
2 among themselves and works cooperatively and
3 constructively with us in trying to avoid having to
4 bring things to Your Honor so that we can move the
5 litigation because we well know, all of us now, that
6 when Your Honor sets a schedule you expect counsel to
7 keep to that schedule.

8 So I think constructively working together,
9 constructively working with us, having a group like
10 that serves everybody's interest.

11 THE COURT: And it is the verbatim truth.
12 There's nothing like a PSC that works like the spokes
13 on one wheel instead of another way. And I am so used
14 to Avandia and that smooth machinery right from the get
15 go, that I'm always surprised if something else
16 happens, and yet, that's got to be dealt with. It will
17 happen.

18 MR. HEIM: And that's the point I wanted to
19 make. Thank you, Your Honor.

20 THE COURT: Thank you very much. Mr. Corr?

21 MR. CORR: Very briefly, Your Honor. Mr.
22 Cheffo mentioned the state court and the PSC and how
23 they coordinate.

24 I think it's also important to recognize that
25 when there are attorneys who are on the PSC who also

1 are involved in state court cases they do have
2 obligations to their clients that sometimes the clients
3 want to be in the state court and not in the federal
4 court because it's closer to their home or whatever the
5 reasons are.

6 But, it also is helpful in coordinating I
7 think because you can see some of the issues we've run
8 into in other litigations where there is an attorney in
9 state court who's not involved in the MDL and we can't
10 really get things coordinated as well.

11 When we have PSC members who are also
12 involved in this litigations we tend to be able to
13 coordinate a lot better and put the MDL first.

14 THE COURT: I've noticed that perspective as
15 well. It is a situation that has to be viewed with
16 balance.

17 MR. CORR: Right. And I appreciate the point
18 that Mr. Cheffo raised, but I think there is that
19 balance that we have to look at as well.

20 The second thing that I wanted to mention
21 that I forgot to mention earlier was that I did work on
22 a general case management order working off of the
23 Avandia and the Zolofit. But, quite frankly, my
24 schedule wasn't really matching up very well with
25 Mark's the past couple of weeks, so I didn't get that

1 circulated out.

2 The other thing that we did also talk about
3 among the PSC was the protective order. I know in Your
4 Honor's PTO-1 said that we should work on that after
5 the PSC was formed.

6 I did take an initial draft of it, started
7 working on it, circulated it around. I know there are
8 issues that have come up in other litigations that
9 people want to talk with the other side about. So we
10 did kind of shelve that until we have a PSC formed.
11 But we'll get on that right away and have a protective
12 order pretty soon I would think.

13 THE COURT: All right.

14 MR. CORR: Thanks.

15 THE COURT: I appreciate that update.

16 MR. CORR: Okay. Thanks.

17 THE COURT: Anything else? Then I would like
18 to recess, and I think I will talk to you, Mr. Cheffo
19 and Mr. Baum, first. And then the rest of you come
20 back one by one. All right?

21 (Proceedings adjourned, 11:58 a.m.)

22 * * *

CERTIFICATION

I, Brad Anders, do hereby certify that the foregoing is a true and correct transcript from the electronic sound recordings of the proceedings in the above-captioned matter.

10-30-13

Date

Brad Anders

Brad Anders